

REMARKS

Claims 31 – 40, and 53 – 63 are currently pending, and the final Office Action mailed October 31, 2008 rejected all claims. Specifically, Claims 53 – 59 and 61 – 63 were rejected under 35 U.S.C. 102(e) as being unpatentable over Suzuki et al. (U.S. Publication No. 2003/0078833). Claims 31 – 37, 39 and 40 were rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki. Claims 38 and 60 were rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki, in view of the Examiner's Official Notice. Minor typographical errors were noted in Claims 53 and 63, which have now been corrected.

In response, the Applicant has amended Claims 31 by incorporating the limitations of prior Claim 33. Claims 53 and 63 have been amended by incorporating the limitations of prior Claim 55. In addition, the term "acknowledge message" in the claims has been changed to "approval signal." Support for the term "approval signal" can be found, for example, in the present specification at paragraph [0221] of the U.S. Publication of the present application and Fig. 10.

According the apparatus and method of the present claims, messages are transmitted to the customers by the company manager, instead of the salesperson directly in charge of the customers. As described in detail below, the specific claim limitations of the present invention are not disclosed or reasonably suggested by Suzuki.

With respect to independent Claim 31, Suzuki fails to disclose "at least one of said company databases is owned by a service provider; at least one of the salesperson tables of the company database of said service provider is correlated with the totality of customer tables correlated with the salesperson tables of the totality of said company databases, inclusive of said company database of said system provider, by said selection registration table" as claimed. The Office Action cites Fig. 3 and states that, in addition, it is obvious as merely have known elements as supporting this limitation, but it is clear that Fig. 3 merely illustrates "data structures of the MR table 312, the selective registration table 314 and the client table 318, and reference relations between them." [para. 0067] The description of Suzuki fails to describe that one of the company databases is assigned to (owned by) a service provider, and that a company database is assigned to a customer of the service provider (i.e. a pharmaceutical manufacturing

company). Moreover, Suzuki fails to disclose the specific limitation that a salesperson table of the company database is correlated with a totality of the customer tables.

Furthermore, with respect to Claims 31, 53 and 63, Suzuki fails to disclose an “approval signal” as claimed, and more particularly the limitation that after receiving the acknowledge signal, transmitting the messages to the customer extracted by the company manager, under the preset receiving conditions from the customer tables of their own company, instead of salespersons directly in charge of the customers, and to the salespersons terminal devices correlated with the customers.

The Office Action has failed to specifically state what in Suzuki corresponds to the present “approval signal” (as taught in the present application in para. [0221] in the published application, and FIG. 10). See for example:

When this approval button 125a is clicked by the healthcare individual, as a user, the healthcare individual, who received the message transmission, has approved the pharmaceutical manufacturing company which requested the message transmission by the user terminal device 4. Thus, the user terminal device 4 sends an approval signal of the MR of the main office to the assisting server device 1. The assisting server device 1, which has received the approval signal over the customer side message interface, correlates the healthcare individual, which has transmitted the approval signal, to the MR of the main office of the pharmaceutical manufacturing company, as an advertiser. The assisting server device 1 then generates the selective registration table 314 so that subsequently the healthcare individual becomes the customer of the pharmaceutical manufacturing company. Hence, the pharmaceutical manufacturing company, as an advertiser, may launch advertisements to increase the number of the customers of the present system, without sending the MR to the premises of the healthcare people. [para. 0221]

There is no description in Suzuki of transmitting the messages to the customer extracted by the company manager, after receipt of the approval signal. This is quite specific, and is clearly not taught or suggested by the cited prior art. The Examiner’s Response to Arguments seems to equate the prior term “acknowledge message” with any message in Suzuki. However, the claims as amended clearly define an “approval signal” which as taught by the present application, is not the same as any transmission/message.

With respect to amended Claims 31, 53 and 63, the Suzuki reference also fails to teach “wherein said salesperson side message interface formats the display so that the

messages transmitted/ received by said salespersons, directly in charge of said customers, of said salesperson tables that are different than those belonging to said company managers, can be distinguished by said salesperson terminal devices from the messages transmitted/ received by said company managers.” Thus, the display informs the salesperson that the message was transmitted from the company manager. This limitation was originally in prior Claims 33 and 55 (with slight modifications). The Office Action has cited FIG. 16 as supporting this limitation.

However, the interface shown in FIG. 16 does not appear to make any distinction between the messages transmitted/received from the salespersons and the messages transmitted/received from the company managers. According to the present invention, the salesperson terminal devices can distinguish between these two types of messages.

The independent claims as amended include “a company terminal device” and “an administrator terminal device,” which are supported in the specification as “a company terminal device 6” and “an administrator terminal device 7” (see, for example, para. [0067]). A company terminal device is supervised by a company manager of a company to which a salesperson belongs, and is able to access a company database assigned to the company. In contrast, Suzuki does not teach or suggest such an administrator terminal device or a company terminal device.

Claim 31 includes the limitation of “a retrieving means for retrieving the customer table correlated with said salesperson table by said selection registration table.” Similarly, Claims 53 and 63 include the limitation “transmitting the message over the network to ...to customer terminal devices of customer tables extracted according to preset retrieving conditions.” These limitations find support in the present specification as paragraphs [0117] and [0118]. According to the present invention, it is possible to retrieve and extract the customer under preset conditions from among a plurality of customers using the retrieving means. Suzuki does not teach or suggest such a system.

According to the present invention, messages are transmitted to the customers by the company manager, instead of from the salespersons directly in charge of the customers. For example, after receiving an approval signal from, for example, a healthcare provider, messages are transmitted to the customer extracted by the company manager of, for example, a pharmaceutical company under the present retrieving

conditions from the totality of the customer tables of its own company, instead of a salesperson directly in charge of the customers. Messages are also transmitted to the salesperson's terminal devices that are correlated with the customer.

As shown in Fig. 36, messages are transmitted to the customers by the company manager instead of by the salesperson directly. Specifically, at that time that a "NO" is selected as step 102, the flow proceeds to step 106 "proxy distribution via MR." This is further described at paragraphs [0226] to [0229].

Significantly, this aspect of the present invention is not taught or suggested by Suzuki. Also, when messages are transmitted from the company manager instead of the salespersons a "salesperson side message interface fomats the display..." as noted above.

Thus, it is now believed that the present claims are in condition for allowance. If the Examiner believes that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact the undersigned attorney at the below-listed number.

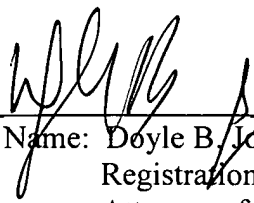
The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.78 to Deposit Account No. 50-2603, **referencing Attorney Docket No. 352738.00800.** A duplicate sheet is attached.

Respectfully submitted,

REED SMITH LLP

Dated: March 23, 2009

Two Embarcadero Center, Suite 2000
P.O. Box 7936
San Francisco, CA 94120-7936
Direct Dial (415) 659-5911
(415) 543-8700 Telephone
(415) 391-8269 Facsimile

By: 
Name: Doyle B. Johnson
Registration No. 39,240
Attorneys for Applicants